

# EXHIBIT A



Eckert Seamans Cherin & Mellott, LLC  
Princeton Pike Corporate Center  
2000 Lenox Drive, Suite 203  
Lawrenceville, NJ 08648

TEL 609 392 2100  
FAX 609 392 7956  
www.eckertseamans.com

Mailing Address:  
P.O. Box 5404  
Princeton, NJ 08543

File No.: 308729-00004

Anthony E. Bush, Esq.  
609 989 5056  
abush@eckertseamans.com

April 12, 2017

**Via Process Service**  
**TD Bank**  
**540 River St.**  
**Teaneck, NJ 07666**

**RE: NextGear Capital, Inc. v. The Luxury Haus, Inc.  
and Antonio L. Gutierrez  
Docket No. BER-L-7268-16**

Dear Sir/Madam:

We represent the plaintiff, NextGear Capital, Inc. ("NextGear") in the above captioned action. Enclosed please find a Subpoena Duces Tecum that requests you produce certain documents as specified in the Subpoena.

***Please note that these records may be mailed in lieu of a formal appearance but cannot be produced before the return date set forth in the subpoena.***

If you are notified that a Motion to Quash the Subpoena has been filed then do not produce the subpoenaed documents until ordered by the Court or until all parties to this action consent to the release of the subpoenaed evidence.

Please contact my office should you have any questions. Thank you for your prompt attention to this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "AEB", with a large, stylized flourish extending to the right.

Anthony E. Bush

AEB/djl  
Enclosure  
cc: Ian Hirsch, Esq. (w/enc.)

**ECKERT SEAMANS CHERIN & MELLOTT, LLC**

Anthony E. Bush, Esq.(N.J. Attorney ID No. #003761990)

Robert J. McGuire, Esq. (N.J. Attorney ID No. #046361992)

*Physical Address:* 2000 Lenox Drive, Suite 203, Lawrenceville, NJ 08648

*Mailing Address:* P.O. Box 5404, Princeton, NJ 08543

Telephone: (609) 392-2100

Facsimile: (609) 392-7956

*Attorneys for Plaintiff, NextGear Capital, Inc.*

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NEXTGEAR CAPITAL, INC.,

Plaintiff,

v.

THE LUXURY HAUS INC., and  
ANTONIO L. GUTIERREZ, jointly and  
severally,

Defendants.

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: SUPERIOR COURT OF NEW JERSEY  
: BERGEN COUNTY: LAW DIVISION  
: DOCKET NO.: BER-L-7268-16

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Civil Action

**SUBPOENA AD TESTIFICANDUM  
AND DUCES TECUM**

**STATE OF NEW JERSEY TO: TD Bank  
540 River St.  
Teaneck, NJ 07666**

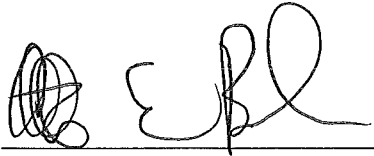
**YOU ARE HEREBY COMMANDED TO APPEAR AT:** Eckert Seamans Cherin & Mellott, LLC, 2000 Lenox Drive, Suite 203, Lawrenceville, New Jersey, on April 26, 2017, at 10:00 o'clock a.m., to testify on oral deposition before a person authorized by the laws of the State of New Jersey to administer oaths, in the above entitled action.

**YOU ARE FURTHER COMMANDED** to bring with you and produce at the time and place specified above the following books, papers, documents, electronically stored information and tangible things. As used herein the term "Paul Gutierrez" includes Gutierrez individually and any entity in which he is affiliated as a shareholder, manager, officer, director, or for which he was an authorized signatory on the account including but not limited to XAM Global LLC.

1. All statements pertaining to Paul Gutierrez (136-88-XXXX) and or XAM Global, LLC from January 1, 2015 through the present.

Pursuant to R. 4:14-7(c), subpoenaed evidence shall not be produced or released until the date specified for return of the subpoena. If you are notified that a motion to quash the subpoena has been filed, you shall not produce or release the subpoenaed evidence until ordered to do so by the Court or the release is consented to by all parties to this action.

**Failure to comply with this subpoena will subject you to such penalties as are provided by law.**

Handwritten signature of Anthony E. Bush in black ink, consisting of a stylized 'A' followed by 'E. Bush'.

Anthony E. Bush, Esq.

**Eckert Seamans Cherin & Mellott, LLC**  
Attorneys for Plaintiff,

/s/ Michelle M. Smith, Esq.

Michelle M. Smith, Esq.  
Clerk of Superior Court of New Jersey

Dated: April 12, 2017



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Anthony E. Bush, Esq.  
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abush@eckertseamans.com

April 12, 2017

**Via Process Service**

**PNC Bank  
400 FRANK W BURR BOULEVARD  
TEANECK, NJ 07666**

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Anthony E. Bush

AEB/djl  
Enclosure  
cc: Ian Hirsch, Esq. (w/enc.)

**ECKERT SEAMANS CHERIN & MELLOTT, LLC**

Anthony E. Bush, Esq.(N.J. Attorney ID No. #003761990)

Robert J. McGuire, Esq. (N.J. Attorney ID No. #046361992)

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*Attorneys for Plaintiff, NextGear Capital, Inc.*

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NEXTGEAR CAPITAL, INC.,

Plaintiff,

v.

THE LUXURY HAUS INC., and  
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: SUPERIOR COURT OF NEW JERSEY  
: BERGEN COUNTY: LAW DIVISION  
: DOCKET NO.: BER-L-7268-16  
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Civil Action

: **SUBPOENA AD TESTIFICANDUM**  
: **AND DUCES TECUM**  
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**STATE OF NEW JERSEY TO: PNC Bank**  
**400 FRANK W BURR BOULEVARD**  
**TEANECK, NJ 07666**

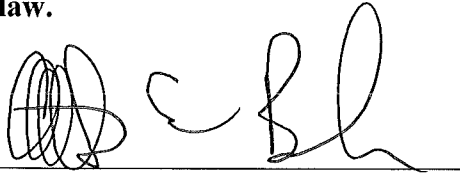
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**Failure to comply with this subpoena will subject you to such penalties as are provided by law.**

A handwritten signature in black ink, appearing to read 'A. Bush', written over a horizontal line.

Anthony E. Bush, Esq.

**Eckert Seamans Cherin & Mellott, LLC**  
Attorneys for Plaintiff,

/s/ Michelle M. Smith, Esq.

Michelle M. Smith, Esq.  
Clerk of Superior Court of New Jersey

Dated: April 12, 2017